



18,
19

Planning Commission Staff Report

TO: PLANNING COMMISSION

FROM: SYDNEY BETHEL, PLANNER II *SB*
(480) 503-6721, SYDNEY.BETHEL@GILBERTAZ.GOV

THROUGH: CATHERINE LORBEER, AICP, PRINCIPAL PLANNER *ajl*
(480) 503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

MEETING DATE: DECEMBER 4, 2019

SUBJECT: A. GP19-11, THE MURPHY: REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROX. 1.5 ACRES GENERALLY LOCATED WEST OF THE NORTHWEST CORNER OF COOPER AND GUADALUPE ROADS FROM LIGHT INDUSTRIAL (LI) TO COMMUNITY COMMERCIAL (CC).

B. Z19-23, THE MURPHY: REQUEST TO REZONE APPROX. 1.5 ACRES GENERALLY LOCATED WEST OF THE NORTHWEST CORNER OF COOPER AND GUADALUPE ROADS FROM LIGHT INDUSTRIAL (LI) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY TO COMMUNITY COMMERCIAL (CC) ZONING DISTRICT WITH A PAD OVERLAY.

STRATEGIC INITIATIVE: Exceptional Built Environment

To allow for the development of a commercial building to provide restaurant and retail services to the community.

RECOMMENDED MOTION

A. Move to recommend to Town Council approval of GP19-11, a Minor General Plan Amendment; and

- B. For the reasons set forth in the staff report, move to recommend approval to the Town Council for Z19-23, as requested, subject to the conditions listed in the staff report.

APPLICANT

Company: Withey Morris PLC

Name: Adam Baugh

Address: 2525 E. Arizona Biltmore Cir., A-212
Phoenix, AZ 85016

Phone: (602) 230-0600

Email: adam@witheymorris.com

OWNER

Name: Anthony L. & Marilyn E.
Ippolito

Address: 2538 E. Desert Ln.
Gilbert, AZ 85234

Phone: (602) 568-0588

Email: ippolito@cox.net

BACKGROUND/DISCUSSION

History

Date	Description
<i>July 31, 1984</i>	Town Council approved the original 179 acre Fiesta Ranch PAD (Ord. No. 392) rezoning the subject side from Agriculture (AG) zoning district to Light Industrial (I-2) zoning district with a Planned Area Development (PAD) overlay.
<i>August 27, 1991</i>	Town Council approved Z19-8 (Ord. No. 734) amending the overall Fiesta Ranch PAD, with the subject site remaining Light Industrial (I-2) with a Planned Area Development (PAD) overlay.
<i>February 1, 2005</i>	Town Council adopted a revised Zoning Map and Land Development Code per Ordinance No. 1625, reclassifying all properties within the Town of Gilbert. The classification for the subject site is Light Industrial (LI) with a Planned Area Development (PAD) overlay.
<i>October 12, 2006</i>	Design Review Board approved Guadalupe Industrial Center (DR06-68), a proposed office/warehouse facility at the subject site. The development was never constructed, and the approval is now expired.
<i>November 6, 2019</i>	The Planning Commission reviewed the Murphy (GP19-11, Z19-23) as a Study Session item.

Overview

The applicant is requesting to change the existing land use classification from Light Industrial (LI) to Community Commercial (CC) and change the existing zoning district from Light Industrial (LI) with a PAD overlay to Community Commercial (CC) with a PAD overlay. The purpose behind the request is to allow for a commercial development called “The Murphy on the Tracks” intended for retail and restaurant uses. Per the applicant, the ultimate vision is to create a commercial development that focuses on experiences and destination similar to developments found in the Heritage District and Agritopia rather than quick, typical commercial strip center visits. The proposed development is designed in a manner that embraces the railroad, orienting the

development towards the railroad rather than away. The subject site is approx. 1.5 gross acres (0.9 net acres), located west of the northwest corner of Cooper and Guadalupe Roads, and is presently vacant.

Surrounding Land Use & Zoning Designations:

	Existing Land Use Classification	Existing Zoning	Existing Use
North	Public Facilities/ Institutional (PF/I)	Public Facilities/ Institutional (PF/I)	Union Pacific Railroad
South	Residential > 8-14 DU/Acre	Multi-Family/Medium (MF/M) with PAD overlay	Guadalupe Road then Park Place Village Condominiums
East	Public Facilities/ Institutional (PF/I)	Public Facilities/ Institutional (PF/I)	Union Pacific Railroad
West	Light Industrial (LI)	Light Industrial (LI) with PAD overlay	Azmark Aero System (Machining and Engineering Services)
Site	Light Industrial (LI)	Light Industrial (LI) with PAD overlay	Vacant

General Plan

The existing land use classification is Light Industrial (LI). In order to develop the property as proposed, the applicant is requesting a minor General Plan Amendment from Light Industrial (LI) to Community Commercial (CC) to develop a commercial project intended for retail and restaurant uses.

The applicant believes they conform to the General Plan for the following reasons:

2.4 Land Use

Goal 5.0: Promote commercial, retail, and employment land uses that are compatible with adjacent land uses and meet economic goals.

- *Applicant Notes: The site fronts a major arterial street where commercial uses are appropriate and expected. Its proximity next to an arterial intersection makes this an ideal location for commercial uses.*

9.3 Economic Development

Policy 4.6: Attract, retain, and grow unique retail businesses that serve a regional customer base as a means to increase Gilbert's sales tax revenue.

- *Applicant Notes: The project will provide a unique business opportunity that will drive customers who want an experiential retail opportunity. Just as the Heritage District and Argitopia are destination places, the Murphy on the Tracks is designed with the same experience in mind. This also occurs within the northwest quadrant of the Town which encourages redevelopment opportunities like this. This will*

increase Gilbert's sales tax revenues compared to the vacant industrial zoned land that has no sales tax benefit.

6.3 Community Design

Goal 1.0: Promote quality design for new development.

- *Applicant Notes: This new development will provide highly articulated, efficient site design, sustainable landscaping, creative signage and energy efficient lighting.*

Goal 6.0: Encourage developers to design attractive and functional retail and service facilities that serve the needs of residents, visitors and businesses.

- *Applicant Notes: The developer will use integrated architectural and landscape design themes for the commercial building. They will provide a safe and efficient access to commercial uses by pedestrians, bicyclists and vehicles and will design access for disabled persons to minimize crossing of vehicular drives. The site is designed so service facilities are screened from view in a well-integrated manner including a combination of architectural walls softened with vegetation that results in a visually pleasing design. Building design will encourage enhancement of building mass by balancing height rooflines, facades and rhythm of design elements.*

Rezoning

The applicant is requesting a rezoning for the subject site from Light Industrial (LI) with a PAD overlay to Community Commercial (CC) with a new PAD overlay to accommodate the development of a commercial center intended for retail and restaurant uses. Within the LI zoning district, restaurants are permitted but they cannot front onto an arterial street and they are not permitted to have a drive through. General retail is permitted in the LI zoning district but only as a use incidental to the principal use of the property and the retail component cannot exceed 20 percent of the principal use Gross Floor Area (GFA). Due to the restrictions on the proposed uses the applicant would like to implement, they have requested to rezone to the CC zoning district, which permits both proposed uses with no additional limitations.

Project Data Table (Proposed Deviations in Bold)

Site Development Regulations	Required per LDC Light Industrial (LI)	Required per LDC Community Commercial (CC)	Proposed Community Commercial (CC) PAD
Minimum Building Setbacks (ft.)			
Front	30'	20'	10'
Side (nonresidential)	-	15'	15'
Side (employment)	0'	-	-
Rear (nonresidential)	-	15'	13'
Rear (Commercial/Office/Public Facility/Institutional)	15'	-	-
Minimum Required Perimeter Landscape Area (ft.)			

Front	25'	20'	7'
Side (nonresidential)	-	15'	3'*
Side (employment)	5'	-	-
Rear (nonresidential)	-	15'	0'
Rear (Commercial/Office/Public Facility/Institutional)	15'	-	-

*setbacks may be reduced internal to a site in conformance with LDC Section 2.304.E.

Planned Area Development

The proposed building area for the development is approx. 6,600 sf with two (2) retail suites and one (1) restaurant suite. The buildings as proposed are designed in a triangular shape with an outdoor courtyard in the center facing the railroad tracks. The parking is located on the west side of the site behind the development. As presently proposed, the conceptual site plan is not meeting the required number of parking spaces, but the details of the parking will be addressed during the Design Review process. The applicant has indicated that they will possibly pursue a shared parking agreement through an Administrative Use Permit with the existing development to the west to acquire the additional parking spaces required.

Requested Deviations

There is a total of five (5) deviations being requested, with four (4) of the requested deviations related to reduced landscape and building setbacks. According to the applicant, the setback deviations are due to the unique triangular shape and limited size of the subject site and to develop in a similar manner to the adjacent existing development to the west. By allowing reduced landscape and building setbacks, the development will be pulled closer to the street and the railroad. According to the applicant, the rear landscape setback on the northern portion of the site is proposed to be reduced to 0' and the building setback to 13' to accommodate the parking and refuse areas, both of which are not permitted in the landscape setback. The front building setback along Guadalupe Road is proposed to be reduced to 10' with the landscape setback being reduced to 7' to allow the street-facing parking to be designed in a similar manner to the parking on the existing development to the west.

The applicant has designed the front and rear parking in a similar manner to the existing development to the west which, in addition to the building, triggers the request for reduced building and landscape setbacks. Due to the existing development to the west being developed under the ULDC and an additional 20' of R.O.W being dedicated to the Town in 2014, it is unworkable for the subject site to develop in a similar manner to the property to the west without requesting deviations. The subject site also dedicated 25' of R.O.W to the Town in 2014, causing the site to be located even further back from the street frontage than the site to the west.

There is an additional request to eliminate the requirement per LDC 4.109.B.1 to provide a solid 8' separation fence when a commercial district or use is adjacent to a Light Industrial or General Industrial district. The property to the west is zoned LI, which will require the subject site to provide a separation fence when rezoned to CC. The subject site will have a shared drive with the industrial site to the west. The two (2) developments are planned to positively interact with each other and the fence will create an unnecessary barrier between the two (2) developments. In order

to proceed forward with the separation fence modification request, a letter of approval is required from the property owner to the west.

PLANNING COMMISSION STUDY SESSION COMMENTS NOVEMBER 6, 2019

The following comments were brought forth by the Planning Commission (PC) members:

- There was discussion on the setbacks for the property to the west, specifically if the property had a 0' setback to the rear and if the requested setbacks for the subject site were aligned with the development to the west.
 - *The development to the west was developed under the Unified Land Development Code (ULDC) which had different development standards than the current Land Development Code (LDC) that the subject site is being reviewed under. Under the ULDC, the rear setback for the development to the west was 0' with a 5' landscape setback. The current rear setback for LI under the LDC is 15' and the landscape setback is 15' when adjacent to PF/I (railroad). The front setback for the development to the west was 30' under the ULDC but in 2014, 20' of the property's frontage was dedicated (MCR 2014-0549294) to the Town for CIP Project ST094. Thus, the right-of-way changes created a non-conforming condition for the existing property and the current measurement from the new R.O.W to the parking for the property to the west is approximately 10'.*
- The Commission wanted to confirm that by allow a reduction in front setbacks that it would not create a visibility issue for the railroad and they requested clarification on whether the railroad was elevated.
 - *Traffic Engineering has reviewed the project and has not voiced any concerns over visibility issues in relation to the railroad. The railroad and the subject site are both at grade.*
- It was questioned if Guadalupe Road was built out, and if not built out, if there were any future Capital Improvement Projects (CIP) planned along Guadalupe Road adjacent to the site.
 - *Currently, there are no CIP projects planned along Guadalupe Road adjacent to the site. In the last CIP project (SR094) for Guadalupe Road that was recently completed, approximately 25' of street frontage was dedicated to the Town (MCR 2014-0549362). Per Engineering, this portion of Guadalupe Road is built out and no additional R.O.W would need to be acquired in the future from the subject site.*
- There was a general agreement that the site is unique in shape and the deviations requested were generally supported due to the extraneous conditions on the lot.

PUBLIC NOTIFICATION AND INPUT

A notice of public hearing was published in a newspaper of general circulation in the Town, an official notice was posted in all the required public places within the Town and neighborhood notice was provided per the requirements of the Land Development Code Article 5.205.

A neighborhood meeting was held on June 11, 2019 at McQueen Park Activity Center. No residents attended the meeting.

Staff has received no additional comment from the public.

PROPOSITION 207

An agreement to “Waive Claims for Diminution in Value” pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

REASONS FOR THE RECOMMENDATION

1. The proposed zoning amendment conforms to the General Plan as amended, any applicable Specific Area Plan, neighborhood, or other plan and any overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.
4. The proposed rezoning supports the Town’s strategic initiative for Community Livability. It supports the motto “Gilbert: Clean, Safe, Vibrant.”

STAFF RECOMMENDATION

- A. Recommend to the Town Council approval of GP19-11 The Murphy, to change the land use classification of approx. 1.5 acres, generally located west of the northwest corner of Cooper and Guadalupe Roads from Light Industrial (LI) to Community Commercial (CC) land use classification; and,
- B. For the following reasons: the development proposal conforms to the intent of the General Plan and can be appropriately coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval to Z19-23 The Murphy rezoning approx. 1.5 acres generally located west of the northwest corner of Cooper and Guadalupe Roads from Light Industrial (LI) zoning district with a Planned Area Development (PAD) overlay to Community Commercial (CC) zoning district with a Planned Area Development (PAD) overlay , subject to the following conditions.
 - a. At the written request of Gilbert, Developer shall dedicate all necessary easements for the roadway improvements, including easements for drainage and retention and temporary construction easements. Failure to dedicate said easements within thirty (30) days after the date of Gilbert’s written request may result in the reversion of the zoning of the Property to the prior zoning classification.

- b. Association (HOA) or Property Owner's Association (POA) for the ownership, maintenance, landscaping, improvements and preservation of all common areas and open space areas, and landscaping within the rights-of-way. "Maintenance responsibilities for common areas and open space areas shall be specified on the approved site plan or final plat."
- c. Developer shall record easements to be owned by the POA for pedestrian, bicycle, multi-use or trail system purposes as determined by the final plat, at the time of final plat recordation, or earlier if required by the Town Engineer. In recognition of the modifications to the underlying zoning regulations set forth herein, such easements shall be open to public access and use.
- d. The Project shall be developed in conformance with Gilbert's zoning requirements for the zoning districts and all development shall comply with the Town of Gilbert Land Development Code, except as modified by the following:

LDC Development Standards	Development for The Murphy PAD CC
Minimum Building Setbacks (ft.)	
Front (Street)	10'
Rear (Non-Residential)	13'
Minimum Required Perimeter Landscape Area (ft.)	
Front (Street)	7'
Rear (Non-Residential)	0'
Separation Fencing	Not Required when Adjacent to an Industrial District (west)

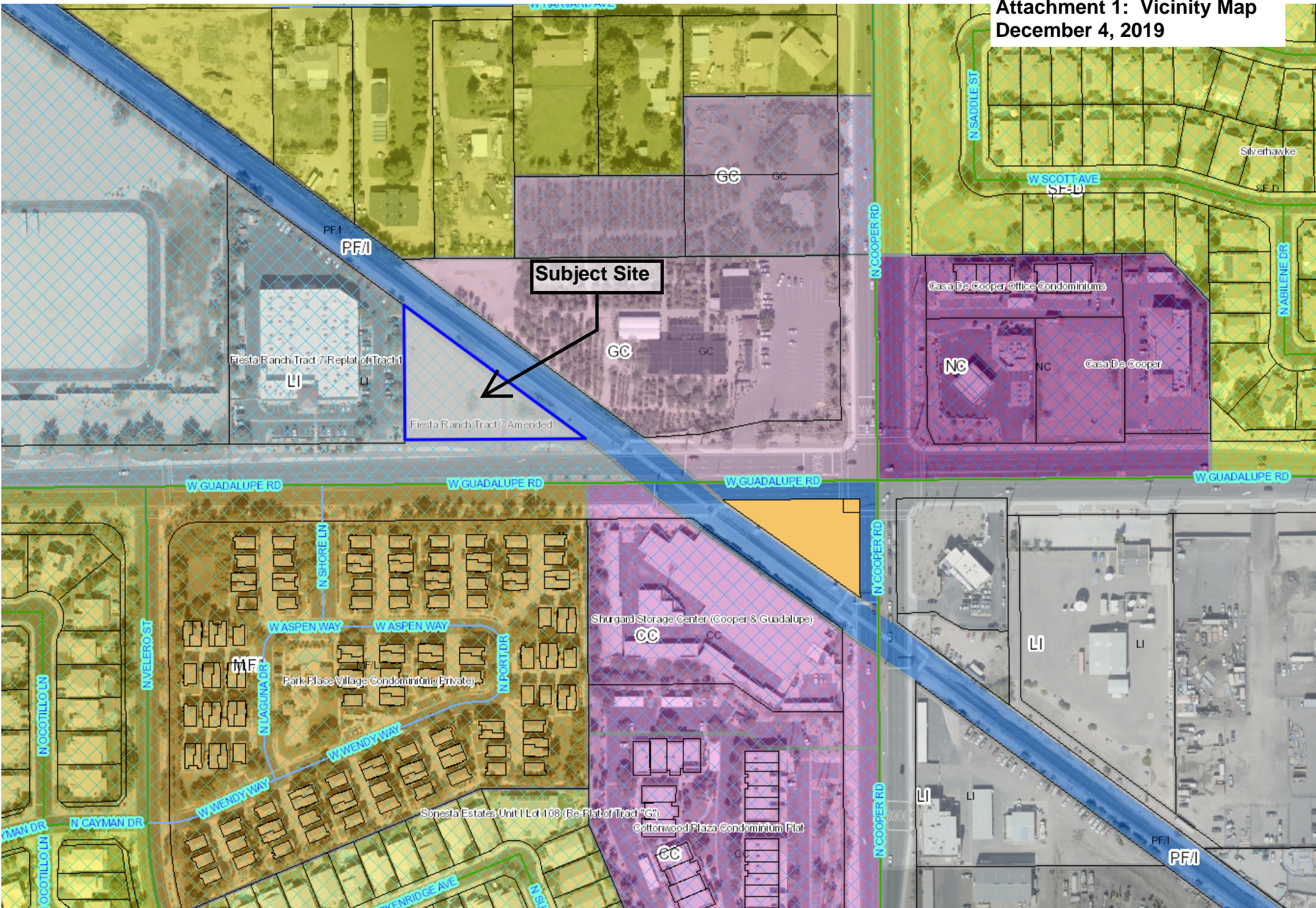
Respectfully submitted,

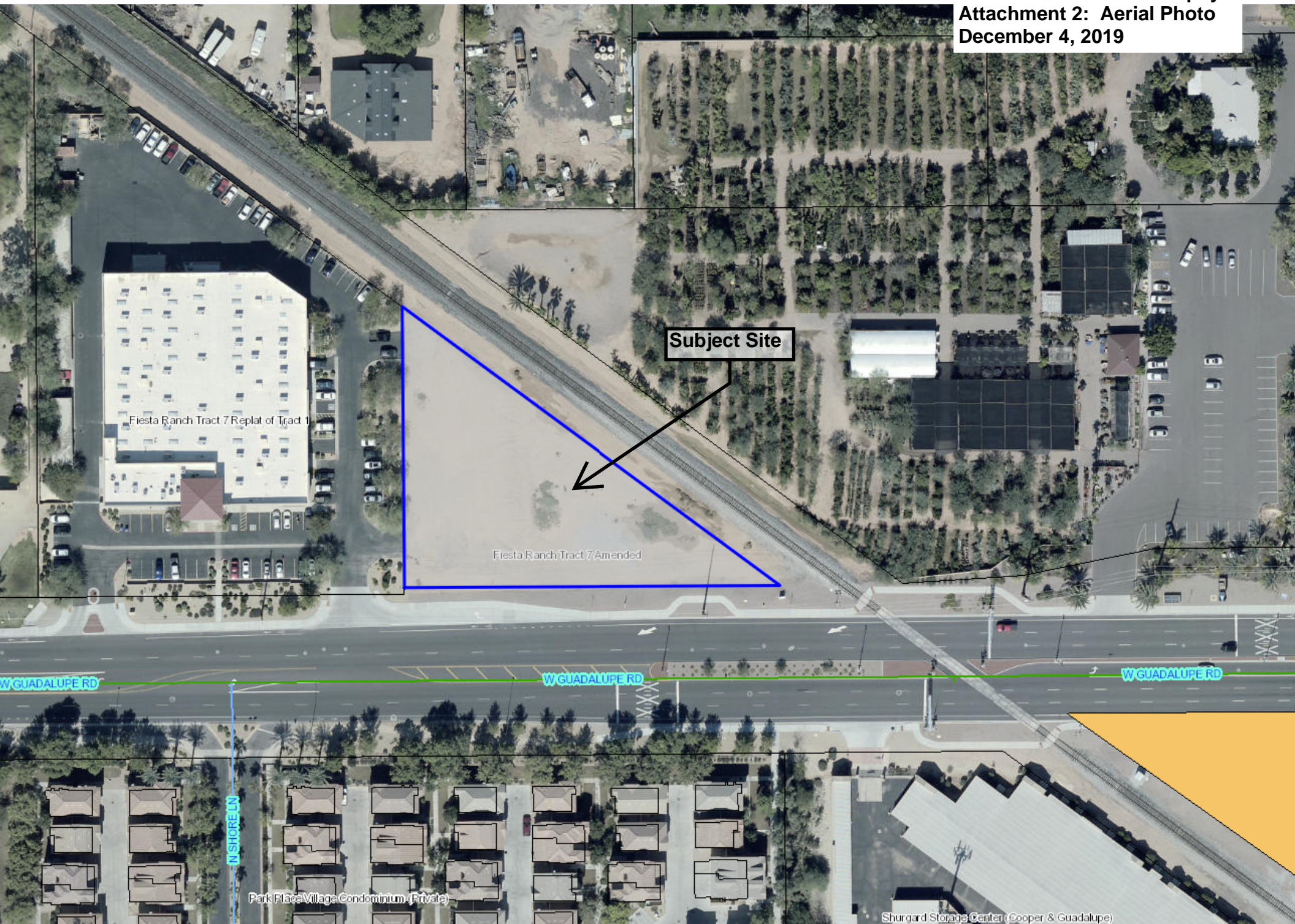


Sydney Bethel
Planner II

Attachments and Enclosures:

- 1) Vicinity Map
- 2) Aerial Photo
- 3) Land Use Exhibit
- 4) Zoning Exhibit
- 5) Legal Description
- 6) Development Plan
- 7) Draft Minutes from PC Study Session November 6, 2019
- 8) Letter of Support from the Gilbert Chamber of Commerce





GENERAL PLAN EXHIBIT

904 W GUADALUPE RD
GILBERT, AZ 85233
APN 302-12-531A

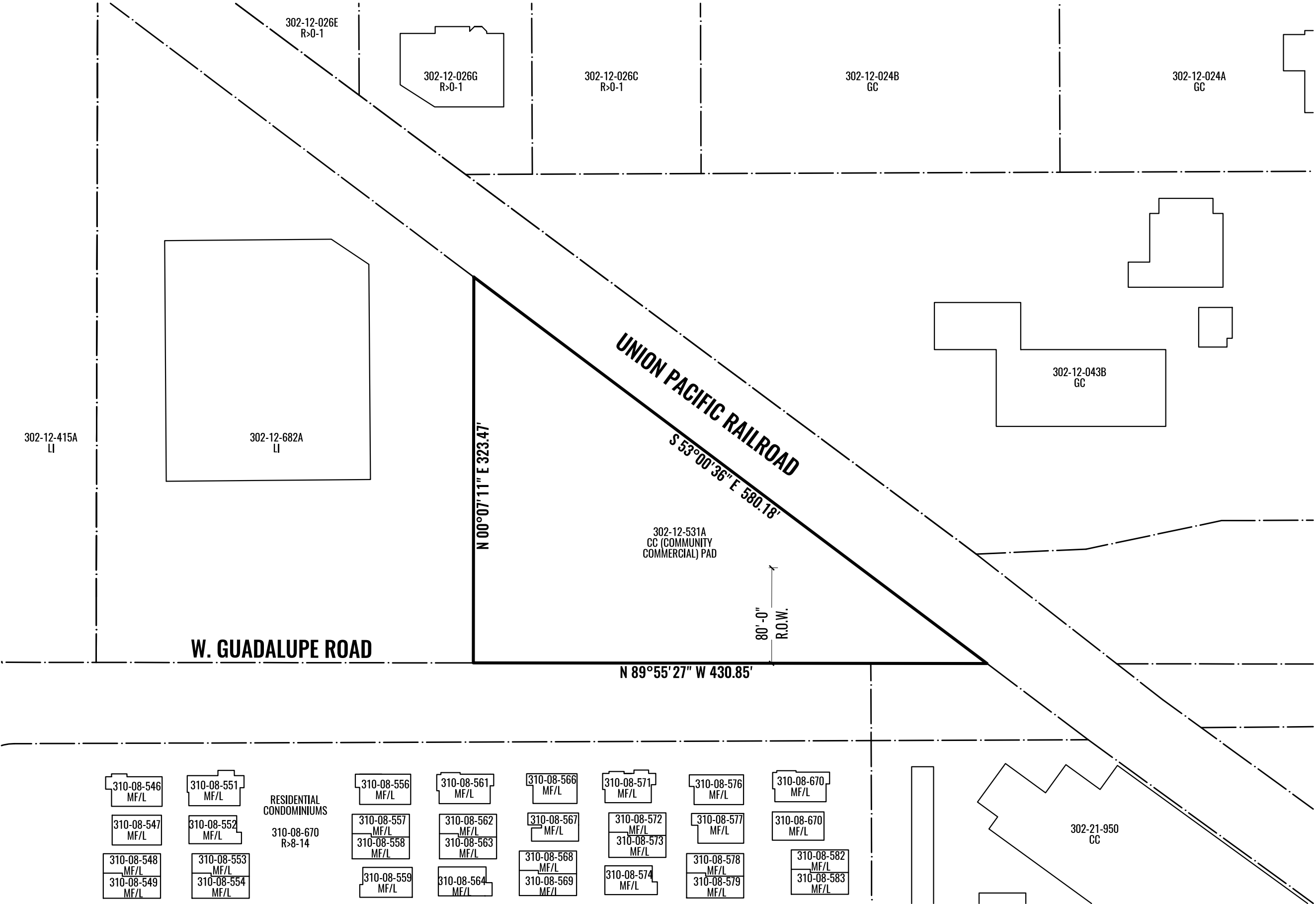
GP19-11/Z19-23 The Murphy
Attachment 3: Land Use Exhibit
December 4, 2019

PROJECT DATA TABLE

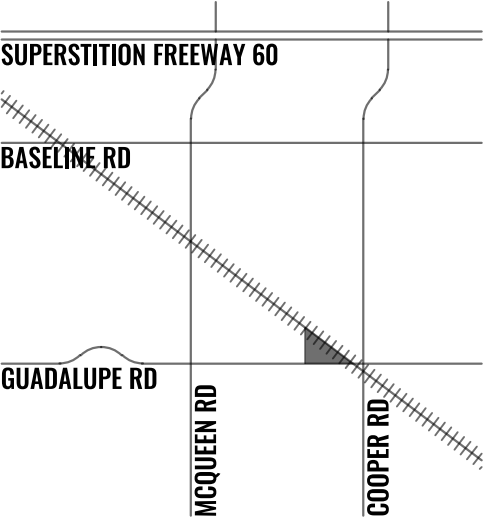
GENERAL PLAN USE CLASSIFICATION:
EXISTING: LI (LIGHT INDUSTRIAL) PAD
PROPOSED: CC (COMMUNITY COMMERCIAL) PAD

NET LOT SIZE: 0.906 ACRES OR 39,478 SQFT
GROSS LOT SIZE: 1.599 ACRES OR 69,674 SQFT

THE SUBJECT PROPERTY IS TRACT 2, OF TRACT 7 AMENDED, A
REPLAT OF TRACT 7 OF FIESTA RANCH



VICINITY MAP



©11/01/2019
SCALE: 1/80" = 1' =0"
0' 20' 40' 60' 80' 120' 160' 200'

kaiserworks

915 East Pierce Street
Phoenix, Arizona 85006
kaiserworks.com

ZONING EXHIBIT

904 W GUADALUPE RD
GILBERT, AZ 85233
APN 302-12-531A

GP19-11/Z19-23 The Murphy
Attachment 4: Zoning Exhibit
December 4, 2019

PROJECT DATA TABLE

ZONING:
EXISTING: LI (LIGHT INDUSTRIAL) W/ PAD 100%
PROPOSED: CC (COMMUNITY COMMERCIAL) W/ PAD 100%

NET LOT SIZE: 0.906 ACRES OR 39,478 SQFT
GROSS LOT SIZE: 1.599 ACRES OR 69,683 SQFT

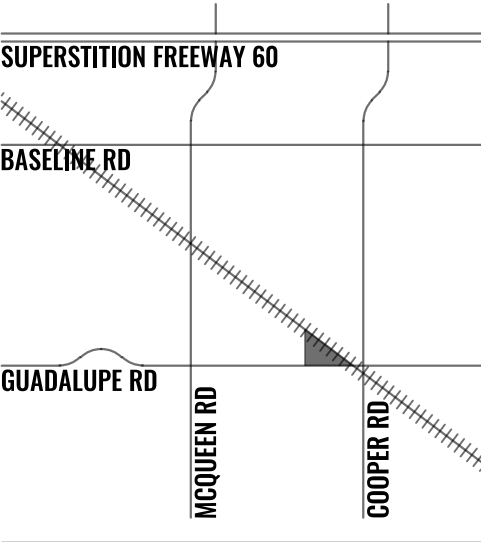
AVAILABLE PUBLIC UTILITIES:
WATER - TOWN OF GILBERT
SEWER - TOWN OF GILBERT
ELECTRIC - SRP
GAS - AVAILABLE FROM SOUTHWEST W/ MAIN EXTENSION FOR APPROXIMATELY 65,000S

CONCEPTUAL DRAINAGE:
UNDERGROUND RETENTION TANKS LOCATED BELOW THE COURTYARD AND PARKING LOT

DEVELOPMENT STANDARDS

	CONVENTIONAL CC	PROPOSED CC PAD
MIN. BUILDING SETBACK:		
FRONT (STREET)	20'-0"	10'-0"
REAR (NON-RESIDENTIAL)	15'-0"	13'-0"
SIDE (NON-RESIDENTIAL)	15'-0"	15'-0"
MIN. LANDSCAPE SETBACK:		
FRONT (STREET)	20'-0"	7'-0"
REAR (NON-RESIDENTIAL)	15'-0"	0'-0"
SIDE (NON-RESIDENTIAL)	15'-0"	* 0'-0"
	** 8'-0"	*** NO
PERIMETER FENCE	PERIMETER FENCE	PERIMETER FENCE
* NO SIDE DEVIATION REQUIRED BECAUSE IT IS PART OF AN APPROVED OVERALL SITE PLAN WITH THE PROPERTY TO THE WEST		
** 8'-0" PERIMETER FENCE NORMALLY REQUIRED ALONG THE INDUSTRIAL & COMMERCIAL PROPERTY LINE		
*** NO FENCE SHALL BE REQUIRED ALONG THE WEST PROPERTY LINE		

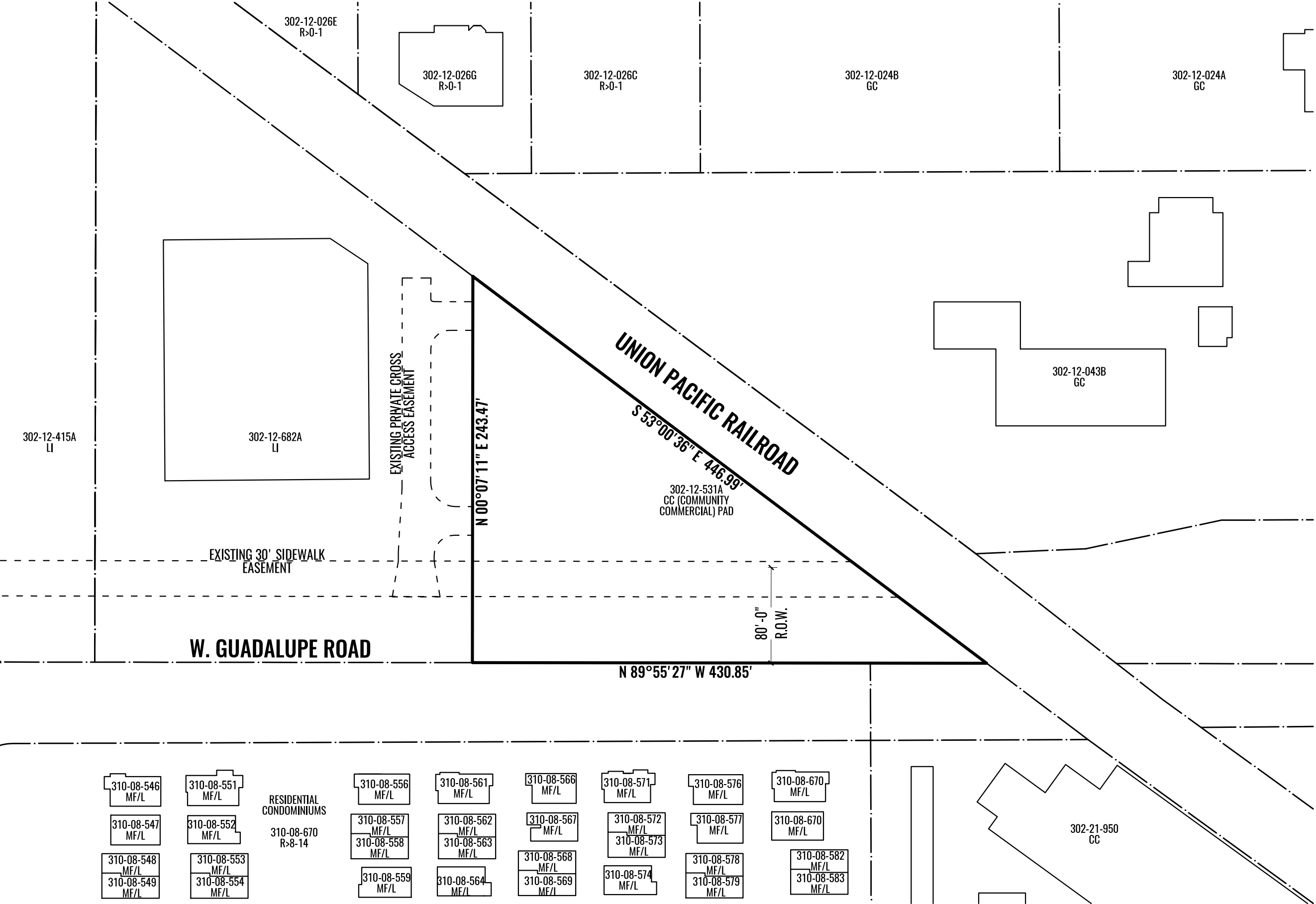
VICINITY MAP



©11/01/2019
SCALE: 1/80" = 1' ±0"
0' 20' 40' 60' 80' 120' 160' 200'

kaiserworks

915 East Pierce Street
Phoenix, Arizona 85006
kaiserworks.com



GROSS ZONING DESCRIPTION FOR 904 W. GUADALUPE ROAD, GILBERT, AZ

A portion of Tract 2, of TRACT 7 AMENDED, A REPLAT OF TRACT 7 OF FIESTA RANCH, recorded in Book 685 of Maps, Page 23, records of Maricopa County, Arizona, and a portion of the Southeast quarter of Section 2, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows;

BEGINNING at the Southwest corner of said Tract 2, which bears South 00 degrees 07 minutes 11 seconds West 268.47 feet from the Northwest corner of said Tract 2;

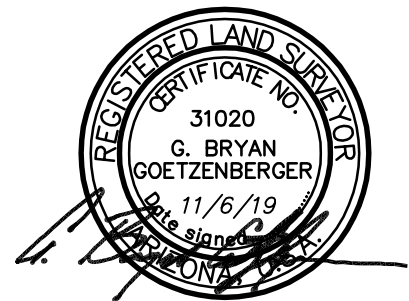
Thence along the West line of said Tract 2, North 00 degrees 07 minutes 11 seconds East 268.47 feet to the Northwest corner of said Tract 2;

Thence along the Northeasterly line of said Tract 2 and its Southeasterly prolongation, South 53 degrees 00 minutes 36 seconds East 538.56 feet to a point on the South line of the Southeast quarter of said Section 2;

Thence along said South line, North 89 degrees 55 minutes 27 seconds West 430.85 feet to a point on the Southerly prolongation of the West line of said Tract 2;

Thence along said Southerly prolongation line, North 00 degrees 07 minutes 11 seconds East 55.00 feet to the POINT OF BEGINNING.

Comprising 1.600 acres or 69,683 square feet, subject to all easements of record.



JOB NO.: 190627
SECTION: 2
TOWNSHIP: 1 SOUTH
RANGE: 5 EAST
DATE: NOVEMBER 6, 2019
SHEET 1 OF 2

REFERENCE DOCUMENTS
RECORDS OF MARICOPA
COUNTY, ARIZONA
1. PLAT BK. 685 PG. 23
2. DOC. NO. 2014-0549362

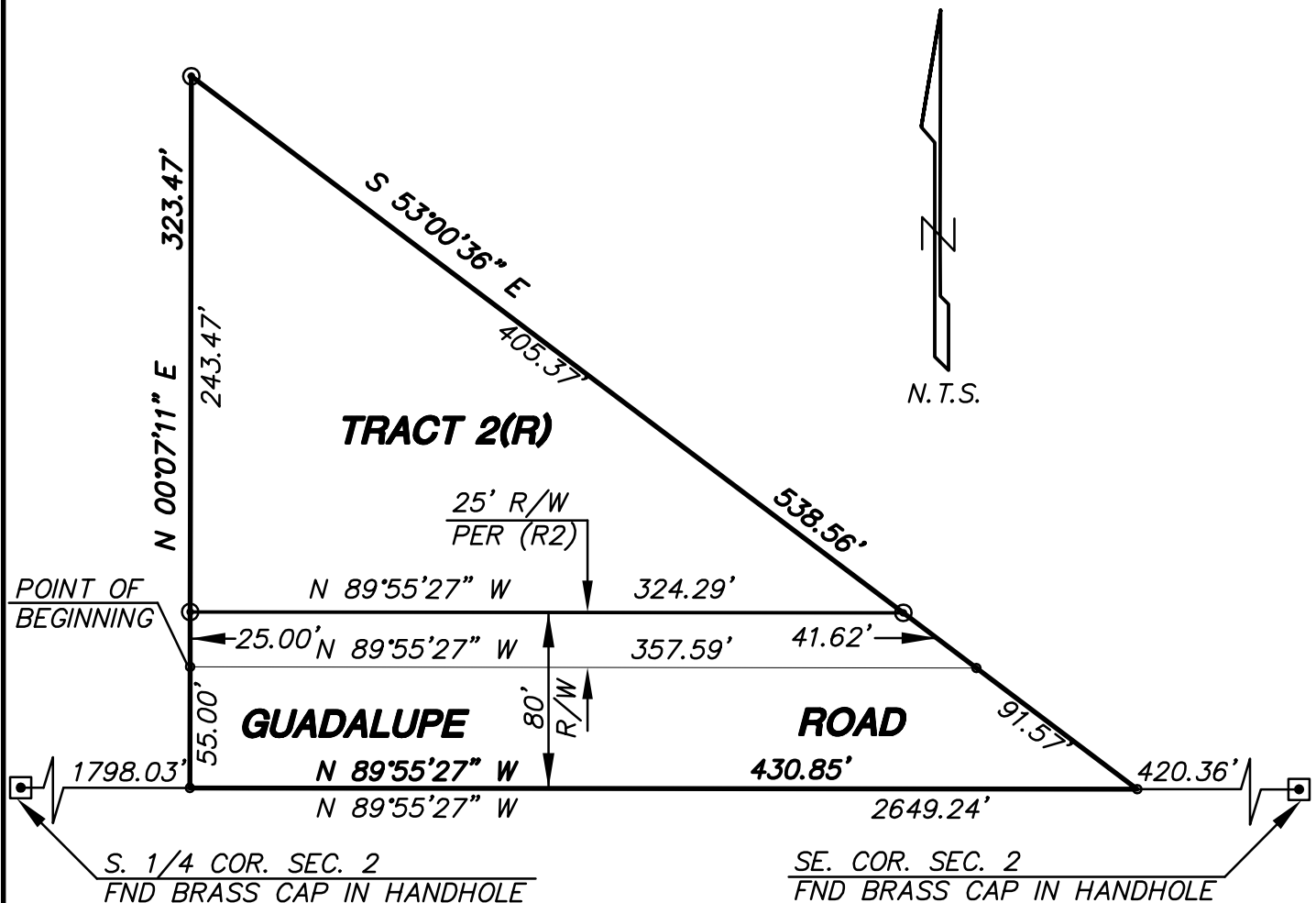


ALLIANCE
LAND SURVEYING, LLC

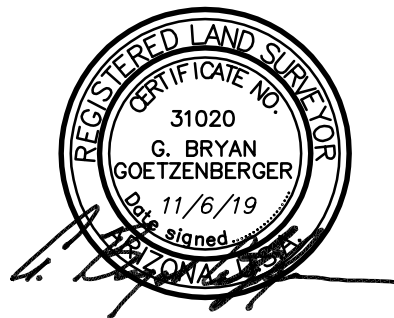
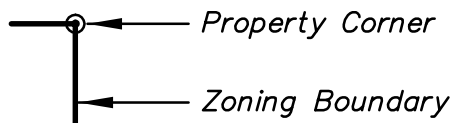
www.alliancelandsurveying.com

7900 N. 70th AVENUE
SUITE 104
GLENDALE, AZ 85303
TEL (623) 972-2200
FAX (623) 972-1616
contactus@azals.com

**GROSS ZONING EXHIBIT FOR
904 W. GUADALUPE ROAD, GILBERT, AZ**



LEGEND



JOB NO.: 190627
SECTION: 2
TOWNSHIP: 1 SOUTH
RANGE: 5 EAST
DATE: NOVEMBER 6, 2019
SHEET 2 OF 2

REFERENCE DOCUMENTS

RECORDS OF MARICOPA
COUNTY, ARIZONA
1. PLAT BK. 685 PG. 23
2. DOC. NO. 2014-0549362



ALLIANCE

LAND SURVEYING, LLC

www.alliancelandsurveying.com

**7900 N. 70th AVENUE
SUITE 104
GLENDALE, AZ 85303
TEL (623) 972-2200
FAX (623) 972-1616**

contactus@azals.com

PROJECT DATA TABLE

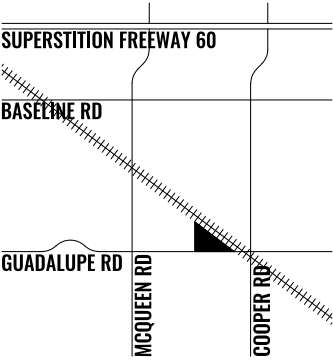
PROJECT DESCRIPTION: "THE MURPHY" IS A PROPOSED COMMERCIAL MIXED USE PROJECT		
ZONING:	LI (LIGHT INDUSTRIAL) PAD	
EXISTING:	CC (COMMUNITY COMMERCIAL) PAD	
PROPOSED:		
NET LOT SIZE:	0.906 ACRES OR 39,478 SQFT	
GROSS LOT SIZE:	1.599 ACRES OR 69,683 SQFT	

DEVELOPMENT STANDARDS

	CONVENTIONAL CC	PROPOSED CC PAD
MIN. BUILDING SETBACK:		
FRONT (STREET)	20'-0"	10'-0"
REAR (NON-RESIDENTIAL)	15'-0"	13'-0"
SIDE (NON-RESIDENTIAL)	15'-0"	15'-0"
MIN. LANDSCAPE SETBACK:		
FRONT (STREET)	20'-0"	7'-0"
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SIDE (NON-RESIDENTIAL)	15'-0"	* 0'-0"
	** 8'-0"	*** NO
PERIMETER FENCE	PERIMETER FENCE	PERIMETER FENCE

- * NO SIDE DEVIATION REQUIRED BECAUSE IT IS PART OF AN APPROVED OVERALL SITE. PLAN WITH THE PROPERTY TO THE WEST
- ** 8'-0" PERIMETER FENCE NORMALLY REQUIRED ALONG THE INDUSTRIAL & COMMERCIAL PROPERTY LINE
- *** NO FENCE SHALL BE REQUIRED ALONG THE WEST PROPERTY LINE

GENERAL NOTES



VICINITY MAP

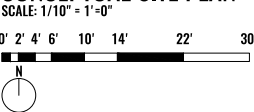
THE MURPHY

904 W GUADALUPE RD
GILBERT, AZ 85233
302-12-531A

©11/11/2019

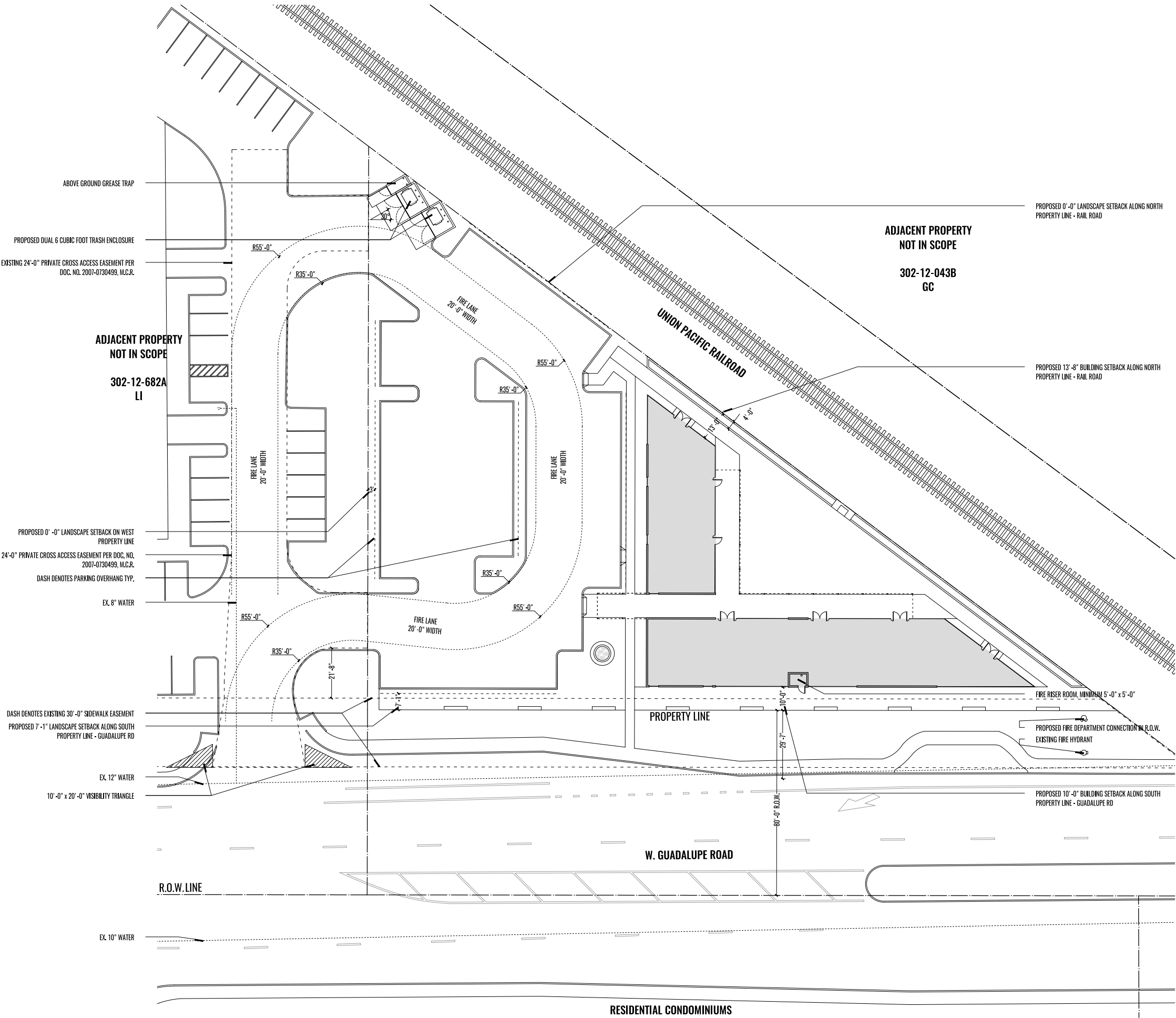
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CONCEPTUAL SITE PLAN



kaiserworks

915 East Pierce Street
Phoenix, Arizona 85006
kaiserworks.com



2. DR19-108 SUN VALLEY COMMUNITY CHURCH – SOUTH GILBERT: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 10 acres, generally located at the northeast corner of Lindsay and Ocotillo Roads, and zoned Shopping Center (SC) with a Planned Area Development (PAD) overlay.

Planner Josh Rogers presented DR19-108 Sun Valley Community Church proposal for a new campus. The property is located at the northeast corner of Lindsay and Ocotillo Roads consisting of approximately 10 acres. Staff had no specific concerns and is looking for general input from the Commission. The Church will be focused towards the arterial corner and away from the surrounding residential. As part of the approval and per the ordinance, the applicant will complete the connection from Narrowleaf Drive to Porter Road in the residential subdivision. That land has already been dedicated. Overall, staff likes the design and layout of the site. The plans go above and beyond the minimum landscape requirements for the zoning district with 43% landscaping. Since this corner is adjacent to Chandler, the applicant will install a new Gilbert entry sign and staff felt they did a good job. The elevations provide a modern, sleek look with a good use of materials, colors and accents. The applicant is looking to move forward with CD's at risk and staff is requesting general input from the Commission on the proposal.

QUESTIONS/COMMENTS FROM THE COMMISSION:

Commissioner September thought it was a really interesting design and appreciated the effort that went into it. The perforated metal panels along the north and west elevations add some interesting variation to an otherwise big box of buildings. He liked how the classrooms were offset from the main worship area as well as the 40% landscaping. He appreciated that the retention area was separated from the parking lot and neighborhoods. He really liked the Welcome to Gilbert sign. Overall, he felt it was a well thought out design.

Commissioner Cavenee felt the proposal checks all of the boxes and he agreed on the comments. He felt it would be a very attractive building and the applicant did a great job turning a large structure into a very interesting exterior. He liked the placement on the site and felt it was very considerate of the neighbors. He would not mind seeing this proposal continue unhindered.

Chair Andersen confirmed that there was consensus of the Commission to place this item on the Consent Agenda for next month unless there are requests to speak on the item from the public.

3. GP19-011 THE MURPHY: Request for Minor General Plan Amendment to change the land use classification of approx. 1.5 gross acres generally located west of the northwest corner of Cooper and Guadalupe Roads from the Light Industrial (LI) to Community Commercial (CC).

Z19-23 THE MURPHY: Request to rezone approximately 1.5 gross acres of real property generally located west of the northwest corner of Cooper and Guadalupe Roads from the Light Industrial (LI) zoning district with a Planned Area Development (PAD) overlay to Community Commercial (CC) zoning district with a Planned Area Development overlay (PAD) overlay.

Planner Sydney Bethel reviewed GP19-011 and Z19-23, The Murphy. The subject site is approximately 1.5 gross acres located west of the northwest corner of Cooper and Guadalupe Roads. There are two requests before the Commission, a minor General Plan Amendment from Light Industrial (LI) to Community Commercial (CC), and a rezoning request from LI with a Planned Area Development (PAD) overlay to CC with a new PAD overlay. The reason for the requests is to allow retail and restaurant uses at the subject site. In the LI district, retail and restaurant are permitted with use restrictions. Rezoning to Community Commercial will allow for retail and restaurant without those specific restrictions.

With the new PAD, the applicant is requesting five deviations, four of which are for building and landscape setbacks. The front building setback and landscape setback are being reduced in order to develop the site in a

similar manner to the existing industrial development to the west that they will share access with. The rear setback is being reduced from 15' to 13' and the landscape setback is going from 15' to zero in order to bring the building closer to the railroad. A deviation is being requested from the 8' separation fence requirement. When the property is rezoned to Community Commercial, it will be adjacent to Light Industrial which will require an 8' separation fence. The applicant has designed the buildings to embrace the railroad tracks in a triangular shape.

A conceptual rendering was provided for reference only to give an idea of the type of development and design that the applicant will pursue going into the Design Review phase if the rezoning were to be approved.

Staff is requesting input on the development plan, the requested deviations, and general input on the proposal.

QUESTIONS/COMMENTS FROM THE COMMISSION:

Commissioner Cavenee understood that this will tie into the property to the west, which is great. The property to the west appears to have a zero setback to the railroad easement.

Ms. Bethel stated the property to the west does not have a zero setback. It should be a 15' setback. She will double check to verify that as the property was approved in 2006.

Commissioner Cavenee stated it looks like the stalls were abutting right along the same property boundary line as the subject site. He asked if the railroad tracks were elevated along Guadalupe and if there would be any concerns with visibility coming down Guadalupe Road.

Ms. Bethel will bring the item forward to Transportation with regard to ADA. She stated the applicant had advised that the landscape setback was zero, and it is zero for Light Industrial when adjacent to the PF/I (Public Facilities/Institutions) for the railroad track.

Commissioner Cavenee felt that would avoid an odd stagger. He felt the area may be fairly flat without any visibility issues. He felt there were a lot of requests for setback variations, although it is a very difficult and odd-shaped site. He was not opposed to any of the requests.

Vice Chair Bloomfield asked about the general thought behind the requirement for the 8' separation wall between LI and CC. Is it because LI can sometimes have more difficult uses that we would want to keep separated?

Ms. Bethel stated that was correct. Typically, the reasoning behind the separation fence requirement is to protect the Commercial from Industrial uses. The Industrial uses on the property to the west are enclosed and will not impact this site. This site was originally planned with the other development to the west and both were approved at the same time. The property to the west developed, although this one did not. A fence would not necessarily make sense since they will share access and interact with each other.

Vice Chair Bloomfield noted that we already know what the Light Industrial use is and if staff is okay with it, the Commission should be as well. He had no issues with the project and what is being requested.

Commissioner Cavenee asked if there were any concerns about cross-parking challenges with the restaurant use. He noted the evening hours for the commercial would work well with the Industrial use. Are there any cross-parking agreements in place?

Ms. Bethel stated there are currently no cross-parking agreements in place. On the development plan there is a section labeled for future cross access. During the Design Review phase, the applicant will need to pursue an Administrative Use Permit for the shared parking and will need to work with the other site as they are short about six spaces as currently proposed. That will be addressed in the Design Review phase.

Commissioner Cavenee asked if the void between the buildings was a courtyard.

Ms. Bethel stated the concept is for an open shared courtyard in the center of the retail and restaurant development.

Commissioner September noted this was a small parcel in an odd-shaped triangle which has a functional obsolescence. He was happy to see someone proposing a development on this parcel. From a setback perspective, he felt it was warranted to allow a little more flexibility on this parcel. He asked about the deviation for the front setback to 10' from the property line. He noted from the property line to the curb was another 29' of space. He asked if there were future plans for lane widening on Guadalupe Road or would that space remain for some time.

Ms. Bethel will need to research whether there were any CIP plans to expand that road. Typically, when a site is looking to develop, the town requests the amount of right-of-way that will allow for any type of future expansion that may be needed. That 29' right-of-way area may be more than what is actually required.

Commissioner Mundt liked the design and thought this strange little triangle was well-utilized. He liked that there is the nursery on the other side which gives that farm to table feel. He cautioned to have some additional lighting or other safety features to provide some indication of when trains are approaching, possibly integrated within the rail system.

4. GP19-08 THE CARSON: Request for Minor General Plan Amendment to change the land use classification of approx. 2.85 acres generally located south of the southwest corner of Gilbert Road and Civic Center Dr. from Shopping Center (SC) to Residential >14-25 DU/Acre land use classification.

Z19-20 THE CARSON: Request to rezone approximately 2.85 acres of real property generally located south of the southwest corner of Gilbert Rd. and Civic Center Dr. from Maricopa County Rural-43 (RU-43) to Multi-Family/Medium (MF/M) zoning district with a Planned Area Development (PAD) overlay. The effect of this rezone will be to allow residential development with modified development standards.

Chair Andersen declared a conflict with this item and left the dais.

Planner Keith Newman presented GP19-08 and Z19-20 The Carson, request for a General Plan Amendment and rezoning for 2.85 acres. There is a companion application for an annexation that will go before the Council shortly. The site is currently zoned Maricopa County Rural-43 (RU-43) and the applicant is proposing to go to Multi Family-Medium (MF/M). The General Plan designation is Shopping Center (SC) and the proposal is to change to Residential >14-25 DU/Acre. The proposed PAD overlay is to secure the overall site layout and design and a few deviations are being requested. The site is located at Gilbert Road west of the Public Safety Training Facility.

The development plan shows 10 to 12 proposed buildings with one main entrance off of Gilbert Road. The proposal is for 44 units with a density of 15.5 DU/Acre. The units range in size from 747 SF to a little over 1,300 SF, each with a two-car tandem garage.

The applicant is requesting PAD deviations per the table provided below:

Site Development Regulations	Required per LDC MF/M	Proposed MF/M PAD
Maximum Height (ft.)/Stories	40'	40'
Minimum Building Setbacks (ft.)		
Front	30'	20'
Side (Residential)	30'	13'



MEMO

TO: Town Council
FROM: Gilbert Chamber Board of Directors
DATE: November 21, 2019

RE: The Murphy @ the Tracks (NWC Cooper and Guadalupe)

The Gilbert Chamber of Commerce Public Policy committee and Board of Directors has reviewed this project that will come before you after the first of the year. The request is to make a minor change within the current Light Industrial zoning to Community Commercial. By doing so this .9-acres would develop a boutique retail component consisting of a restaurant facing the railroad tracks along with other local retail facilities.

This is a unique retail product that celebrates the railroad and Gilbert's heritage components as well as local maker markets. It also transforms a barren piece of forgotten property into a potential retail destination for our community.

The Gilbert Chamber of Commerce Board of Directors supports this request. Please contact Kathy Tilque if you have any questions at 480-892-1103.